

**JUDGMENT DEBTOR(S)'S MOTION RETURN/RELEASE  
OF WAGES EXEMPT FROM GARNISHMENT;  
NOTICE OF MOTION; CERTIFICATE OF SERVICE;  
GARNISHMENT CALCULATION WORKSHEET; EXHIBIT "A"**

Form# 3DC27B

**IN THE DISTRICT COURT OF THE THIRD CIRCUIT**  
\_\_\_\_\_  
**DIVISION**  
**STATE OF HAWAI'I**

Plaintiff(s)

Reserved for Court Use

Civil No.

Defendant(s)

Filing Party(ies)/Filing Party(ies)' Attorney (Name, Attorney  
Number, Firm Name (if applicable), Address, Telephone and  
Facsimile Numbers)

**JUDGMENT DEBTOR(S)'S MOTION**

**FOR RETURN/RELEASE OF WAGES EXEMPT FROM GARNISHMENT**

Filing Party(ies) moves this Court for an Order returning or releasing to the filing party all or a portion of wages which have been garnished because:

1. ☐ The amount garnished or withheld was excessive as the ☐ Federal Law ☐ State Law was more favorable to the filing party.
2. ☐ The Garnishee should have deducted \$\_\_\_\_\_, rather than \$\_\_\_\_\_ according to the Garnishment Calculation Worksheet, and a copy of applicable pay stub attached as Exhibit "A".
3. ☐ Other (specify)\_\_\_\_\_.

Date:

Signature of Declarant:

Print/Type Name:

**NOTICE OF HEARING**

TO: \_\_\_\_\_:  
Please take notice that this Motion will be heard before the Presiding Judge of this Court in his/her Courtroom, at the address checked on page 2 on \_\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ a.m. or as soon thereafter as parties may be heard.

GARNRETS

**SEE AND USE PAGE 2 TO RESPOND TO MOTION**

### COURT ADDRESSES

- ☐ North & South Hilo Division  
☐ Puna Division  
☐ North & South Kona Division  
☐ Ka'u Division  
☐ South Kohala Division  
☐ Hamakua Division  
☐ North Kohala Division

777 Kilauea Avenue, 2<sup>nd</sup> Floor, Hilo, Hawai'i, 96720  
777 Kilauea Avenue, 2<sup>nd</sup> Floor, Hilo, Hawai'i, 96720  
79-1020 Haukapila Street, Kealahou, Hawai'i, 96750  
95-5669 Mamalahoa Highway, Na'alehu, Hawai'i, 96772  
67-5187 Kamamalu Street, Kamuela, Hawai'i, 96743  
45-3362 Mamane Street, Honoka'a, Hawai'i, 96727  
54-3900 Kapa'au Road, Kapa'au, Hawai'i, 96755

Mailing address for the above Courts: ☐ 777 Kilauea Avenue, Hilo, HI 96720-4212, ☐ 79-1020 Haukapila Street, Kealahou, HI 96750, ☐ 67-5187 Kamamalu Street, Kamuela, HI 96743

### CERTIFICATE OF SERVICE

I certify that a copy of this Motion was served at the last known address(es) of the Opposing Party(ies) or Opposing Party(ies)' attorney on \_\_\_\_\_ by ☐ Hand-delivery or ☐ Mail, Postage Prepaid, at the following address(es):

Judgment Creditor:

Employer/Garnishee

Date:

Signature of Filing Party(ies)/Filing Party(ies)' Attorney:

Print/Type Name:

### RESPONSE TO MOTION/CERTIFICATE OF SERVICE

- ☐ I DO NOT OBJECT to this Motion.
- ☐ I DISAGREE with this Motion for the following reasons:  
(Attach continuation page, if necessary).

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I have read this Response, know the contents and verify that the statements are true to my personal knowledge and belief. **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF HAWAII THAT THE ABOVE IS TRUE AND CORRECT:**

### CERTIFICATE OF SERVICE

I certify that a copy of this Response was served at the last known address(es) of the Opposing Party(ies) or Opposing Party(ies)' attorney on \_\_\_\_\_ by ☐ Hand-delivery or ☐ Mail, Postage Prepaid, at the following address(es):

Judgment Creditor:

Employer/Garnishee

Date:

Signature of Responding Party(ies)/Responding Party(ies)' Attorney:

Print/Type Name:



In accordance with the **Americans with Disabilities Act** if you require an accommodation for your disability, please contact the ADA Coordinator at PHONE NO. (808) 961-7424, FAX (808) 961-7411, or TTY (808) 961-7422 at least ten (10) working days in advance of your hearing appointment date. **For Civil related matters, please call or visit the District Court Civil Section at Hilo Division, 777 Kilauea Avenue, Hilo, Ph. (808) 961-7515 • Kohala Division, 67-5187 Kamamalu St., Kamuela, Ph. (808) 443-2030 • Kona Division, 79-1020 Haukapila St., Kealahou, Ph. (808) 322-8700.**